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ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			EXAMINER PHAM, LUU T	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/595,019	Applicant(s) OYAMA, JOHNSON	
	Examiner LUU PHAM	Art Unit 2437	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-25 and 27-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-25 and 27-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This Office Action is in response to communications filed on 02/23/2009 and 10/15/2008.
2. In the instant Amendment, Claims 3 and 26 were cancelled; Claims 1, 24, and 47 are independent claims. Claims 1-2, 4-25, and 27-50 have been examined and are pending.

This Action is made FINAL.

Response to Arguments

3. **Claim Rejections - 35 U.S.C. § 101:**

- a. Applicants' arguments, filed on 02/23/2009, with respect to the rejections of claims 27, 29-30, 32-36, and 42-46 under 35 U.S.C. § 101 have been fully considered and are persuasive. The rejections of claims 27, 29-30, 32-36, and 42-50 under 35 U.S.C. § 101 are withdrawn.
- b. The rejections of claims 47-50 under 35 U.S.C. § 101 are withdrawn as the claims have been amended.

4. **Claim Rejections - 35 U.S.C. § 112, second paragraph:**

- a. The rejections of claims 24-25 under 35 U.S.C. § 112, second paragraph, are withdrawn as the claims have been amended.
- b. The rejections of claims 27, 29-30, 32-36, and 42-50 under 35 U.S.C. § 112, second paragraph are maintained because the claims have been found invalid as indefinite in view of *Biomedino, LLC vs. Waters Technology Corp.*, 490 F.3d 946, 950 (Fed. Cir. 2007). Applicants' arguments, filed on 10/15/2008, with respect to the structures of

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“means for” recited in the aforementioned claims have been fully considered but they are not persuasive.

Applicants’ arguments:

“The means for assigning is item 52 in FIG. 8. The means for transmitting is item 55 in FIG. 8. Therefore, the withdrawal of the § 112 rejection is respectfully requested;”

The Examiner disagrees due to the following reasons:

Since there is no further disclosure in the specification as to how the module 52 and item 55 (*described in Fig. 8*) are implemented and what structures of module 52 and item 55 are, the claims are found invalid as indefinite. *“If there is no structure in the specification corresponding to the means-plus-function limitation in the claims, the claims will be found invalid as indefinite.” Biomedino, LLC vs. Waters Technology Corp.*, 490 F.3d 946, 950 (Fed. Cir. 2007). Therefore, the nature of the subject matter claimed may reasonably be construed as a mental process since the claim language broadly encompasses non-tangible embodiments.

5. Claim Objections:

- a. Applicants’ arguments, filed on 02/23/2009, with respect to the objections of claim 1 and 24 under 35 U.S.C. § 132(a) regarding the limitation “*Intervening AA network nodes*” have been fully considered and are persuasive. The objections of claim 1 and 24 under 35 U.S.C. § 132(a) regarding the limitation “*Intervening AA network nodes*” are withdrawn.

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- b. Applicants' arguments, filed on 02/23/2009, with respect to the objections of claim 1 and 24 under 35 U.S.C. § 132(a) regarding the limitation "*the MIPv6-related authentication and authorization information unchanged between the mobile node and the home AA server*" been fully considered but they are not persuasive.

Applicants' arguments:

"This basis for this rejection can only be because the Examiner does not know what it means to transfer information in a procedure that is transparent to the visited network, as originally recited in claim 1. The Applicant merely amended claim 1 to make it clearer to the Examiner what was meant by transferring the information transparent to the visited network. It is common in telecommunications to refer to a transfer of information as being transparent to intervening nodes if the information is not changed during the transfer. This is because the basic definition of "transparent" is, "Capable of transmitting light so that objects or images can be seen as if there were no intervening material." (The American Heritage Dictionary, Second College Edition, 1985). Thus, the newly recited phrase is clearly not new matter;" (emphasis added).

The Examiner disagrees for the following reasons:

As defined in The American Heritage Dictionary, Second College Edition, 1985, the basic definition of "transparent" is, "Capable of transmitting light so that objects or images can be seen as if there were no intervening material." It is clear that the transmission is not visible and is in a manner not evident to the user; this does not

mean that the transmitted information is unchanged. It is common in telecommunications that an intervening node, such as router, access point, or firewall, needs to add headers and/or trailers into packets when transferring data; it is noted, however, that the ‘payload’ may be unchanged but the packets/data transferred will be changed between two nodes.

6. **Claim Rejections - 35 U.S.C. § 102(a):**

- a. Applicant’s arguments, filed 02/23/2009, have been fully considered but they are not persuasive.

Applicants’ arguments:

“Faccin teaches neither an end-to-end procedure (since the AAA Client intercepts and modifies the AAA messages) nor a procedure in which the intervening AAA network node forward the AAA information unchanged;”

The Examiner disagrees for the following reasons:

Faccin teaches an end-to-end procedure (*page 11-16; sections 7.2 and 7.6; information flows described in section 7.2 and 7.6 are known as end-to-end procedure*) in which the intervening AAA network node forward the AAA information unchanged (*page 14, section 7.5; the AAAv verifies the message is coming from a valid AAA Client and then, checks the MIPv6 Feature Vector AVP, and then sends it to the MN’s home AAA server, i.e., AAAv does not make any modification to the message coming from a valid AAA client; see also pages 16-28, section 9; the AAAh may exchange many messages with the MN via the AAAv; AAAh*

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may also compute other keying material according to the keys requested by the MN and send it to the MN passing through the AAAv; i.e., keys sent to the MN passing through the AAAv are unchanged).

7. **Double Patenting:**

- a. The Terminal Disclaimer submitted on 10/15/2008 was received. In the mean time awaiting official review, the Examiner maintains the Double Patenting rejection for the record of prosecution.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. **Claims 1-2, 4-25, and 27-50 are rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- **Regarding claims 1, 24, and 47;** claim 1 recites the limitation “*forwarding by intervening AAA network nodes, the MIPv6-related authentication and authorization information unchanged between the mobile node and the home AAA server;*” claim 24 recites the limitation “*intervening AAA network nodes pass the MIPv6-related authentication and authorization information unchanged between the mobile node and the home AAA server;*” and claim 47 recites the limitation “*intermediate AAA network nodes pass the MIPv6-related authentication and authorization information unchanged between*

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the mobile node and the home AAA server;” (emphasis added). This is vague as to whether the MIPv6-related authentication, or authorization, or both remain(s) unchanged between the mobile node and the home AAA server. For the purpose of applying art, the Examiner interprets the aforementioned limitation to mean “*both MIPv6-related authentication and authorized information remain unchanged between the mobile node and the home AAA server.*”

- **Regarding claims 2, 4-23, 25-46, and 48-50;** claims 2, 4-23, 25-46, and 48-50 are dependent on either claim 1, 24, or 47, and therefore inherit the 35 U.S.C 112, second paragraph issues of the independent claims.

10. **Claims 27-30, 32-36, and 42-50 are rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- **Regarding claims 27, 29-30, 32-36, and 42-50;** claims 27, 29-30, 32-36, and 42-50 have been found invalid as indefinite because the claims recite “*means for*” languages and there is no structure disclosed in the specification. “*If there is no structure in the specification corresponding to the means-plus-function limitation in the claims, the claims will be found invalid as indefinite.*” **Biomedino, LLC vs. Waters Technology Corp.**, 490 F.3d 946, 950 (Fed. Cir. 2007).

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

12. **Claims 1-2, 4-10, 12-17, 19-25, 27-33, 35-40, and 42-50 are rejected under 35 U.S.C. 102(a)** as being anticipated by Faccin et al., (hereinafter “Faccin”), “Diameter Mobile IPv6 Application, draft-le-aaa-diameter-mobileipv6-6-03.txt,” Internet Draft, XP015004098, published in April 2003.

- **Regarding claim 1**, Faccin discloses a method of authentication and authorization support for Mobile IP version 6 (MIPv6) (*pages 1-4, sections 1-3; pages 5 and 11, sections 4.1 and 7.1*), comprising:
 - sending MIPv6-related authentication and authorization information in an authentication protocol in an end-to-end procedure between a mobile node and a home Authentication, Authorization and Accounting (AAA) server (*page 1, section 1; in order to give access to a mobile node to network resources, the mobile node needs to be authenticated and authorized; besides supporting mobile node authentication and authorization, the AAA infrastructure can also be used for distributing the security keys needed to support the mobile node roaming; pages 2-3, sections 3.1 and 3.2; page 5, section 4.1; pages 11-18, sections 7.1-7.3 and 7.6; pages 19-28, sections 9.1-9.2 and 9.5*), wherein the mobile node is operating in a visited network (*pages 2-4, section 3; mobile*

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node mn@xyz.com is operating in a visited domain abc.com) and the home AAA server is located in a home network of the mobile node (pages 2-4, section 3, AAAH server is located in the home domain xyz.com); and

forwarding by intervening AAA network nodes (pages 2-3, AAAv (AAA server in the visited network) is known as intervening AAA network node; page 14, section 7.5), the MIPv6-related authentication and authorization information unchanged between the mobile node and the home AAA server (pages 10-16, section 7; pages 19-28, section 9; information flows 1.2-1.9 and 2.2-2.11; the AAAv verifies the message is coming from a valid AAA Client and then, checks the MIPv6 Feature Vector AVP, and then sends it to the MN's home AAA server; i.e., AAAv does not make any modification to the message coming from a valid AAA client; the AAAh may exchange many messages with the MN via the AAAv; AAAh may also compute other keying material according to the keys requested by the MN and send it to the MN passing through the AAAv; i.e., keys sent to the MN passing through the AAAv are unchanged).

- **Regarding claim 2**, Faccin discloses the method of claim 1, wherein the authentication protocol is an extended authentication protocol (*page 2; pages 9-10, sections 6.1 and 6.2*).

- **Regarding claim 4**, Faccin discloses the method of claim 1, further comprising transferring the MIPv6-related information from the AAA server in the home network to a home agent (*page 3; communication (4) exchanged from Home Agent and AAAh Server; page 11, section 7.2*).

- **Regarding claim 5**, Faccin discloses the method of claim 1, wherein the MIPv6-related information further comprises MIPv6 configuration information (*page 7, section 4.4; page 17, section 8*).
- **Regarding claim 6**, Faccin discloses the method of claim 4, wherein the MIPv6-related information is transferred over the AAA infrastructure for immediate or future establishment of a MIPv6 security association between the mobile node and the home agent (*page 5, section 4.2; page 12, section 7.3.1; page 18, section 8.2*).
- **Regarding claim 7**, Faccin discloses the method of claim 5, wherein the MIPv6-related information is transferred over the AAA infrastructure for establishing a binding for the mobile node in the home agent (*pages 5-6, sections 4.2-4.3*).
- **Regarding claim 8**, Faccin discloses the method of claim 2, wherein the extended authentication protocol is an extended Extensible Authentication Protocol (EAP) and the MIPv6-related authentication and authorization information is incorporated as additional data in the EAP protocol stack (*page 5, section 4.1; page 10, section 6.2; pages 22-24; sections 9.3-9.5*).
- **Regarding claim 9**, Faccin discloses the method of claim 8, wherein the MIPv6-related information is transferred in at least one EAP attribute in the EAP protocol stack (*page 5, section 4.1; page 10, section 6.2; pages 22-24; sections 9.3-9.5*).

- **Regarding claim 10**, Faccin discloses the method of claim 9, wherein the MIPv6- related information is transferred as EAP attributes of the method layer in the EAP protocol stack (*page 5, section 4.1; page 10, section 6.2; pages 22-24; sections 9.3-9.5*).
- **Regarding claim 12**, Faccin discloses the method of claim 9, wherein the MIPv6- related information is transferred in a generic container attribute available for any EAP method (*pages 9-10; sections 6.1-6.3; the IPv6 mobile node should be able to use different authentication methods such as the different EAP types; the EAP data could be sent as an extension to ICMPv6 messages, carried using the protocol defined by the PANA EG or any other protocol*).
- **Regarding claim 13**, Faccin discloses the method of claim 9, wherein the MIPv6- related information is transferred in a method-specific generic container attribute of the method layer in the EAP protocol stack (*pages 9-10; sections 6.1-6.3; pages 14-15; section 7.5-7.6*).
- **Regarding claim 14**, Faccin discloses the method of claim 1, wherein the authentication protocol between the mobile node and an AAA client in the visited network is carried by a protocol selected from the group of the Protocol for carrying Authentication for Network Access (PANA), IEEE 802.1X, and Point-to- Point Protocol (PPP) (*page 5, section 4.1; page 10, section 6.2; the EAP data could be sent as an extension to ICMPv6 messages, carried suing the protocol defined by the PANA WG or any other protocol*).

- **Regarding claim 15**, Faccin discloses the method of claim 1, wherein the authentication protocol is carried by an AAA framework protocol application between a AAA client in the visited network and the AAA server in the home network (*pages 3 and 13-16; sections 7.4 and 7.6*).
- **Regarding claim 16**, Faccin discloses the method of claim 4, wherein the MIPv6- related information is transferred from the AAA server in the home network to the home agent in an AAA framework protocol application (*pages 3 and 15-16; sections 7.6 and 7.7*).
- **Regarding claim 17**, Faccin discloses the method of claim 16, wherein the home agent is a local home agent in the visited network and the MIPv6-related information is transferred from the AAA home server to the local home agent via an AAA server in the visited network (*pages 3 and 5-6; sections 4.1-4.2*).
- **Regarding claim 19**, Faccin discloses the method of claim 4, further comprising assigning, by the home AAA server, a home agent to the mobile node (*pages 26-27; section 9.5.2*); and
distributing by the home AAA server to the mobile node and the home agent, credential-related data for establishing a security association between the mobile node and the home agent (*pages 24-28; sections 9.5.1-9.5.2 and 9.6*).

- **Regarding claim 20**, Faccin discloses the method of claim 1, further comprising assigning a home address to the mobile node at the AAA home network server (*pages 26-27; section 9.5.2*).

- **Regarding claim 21**, Faccin discloses the method of claim 20, further comprising configuring the home address of the mobile node using roundtrips of a selected EAP procedure (*pages 5-6, sections 4.1-4.2; page 15, section 7.6*).

- **Regarding claim 22**, Faccin discloses the method of claim 19, further comprising

building, at the mobile node, a home address for the mobile node using at least a portion of the address of its assigned home agent (*page 12, section 7.3.1; pages 15-16, section 7.6; page 20-21, section 9.2.1*); and

transferring the home address of the mobile node from the mobile node to the AAA home network server using around trip of a selected EAP procedure (*page 12, section 7.3.1; page 2-21, section 9.2.1*).

- **Regarding claim 23**, Faccin discloses the method of claim 20, further comprising transferring the home address of the mobile node from the AAA home network server to a home agent using an AAA framework protocol application (*pages 24-27; section 9.5*).

- **Regarding claim 24**, Faccin discloses a system for authentication and authorization support for MIPv6 (*pages 1-4, sections 1-3; pages 5 and 11, sections 4.1 and 7.1*), comprising:

- a mobile node operating in a visited network (*pages 2-4, section 3; mobile node mn@xyz.com is operating in a visited domain abc.com*);

- a home Authentication, Authorization and Accounting (AAA) server in a home, network of the mobile node (*pages 2-4, section 3, AAAH server is located in the home domain xyz.com*); and

- intervening AAA network nodes (*pages 2-3, AAAv (AAA server in the visited network) is known as intervening AAA network node; page 14, section 7.5*) for transferring, between the mobile node and the home AAA serve, MIPv6-related authentication and authorization information in an authentication protocol in an end-to-end procedure transparent to the visited network (*pages 2-3, section 3; pages 10-16, section 7; information flow 1.2-1.9; pages 19-28, section 9; information flow 2.2-2.11*);

- wherein the intervening AAA network nodes pass the MIPv6-related authentication and authorization information unchanged between the mobile node and the home AAA server (*pages 10-16, section 7; pages 19-28, section 9; information flows 1.2-1.9 and 2.2-2.11; the AAAv verifies the message is coming from a valid AAA Client and then, checks the MIPv6 Feature Vector AVP, and then sends it to the MN's home AAA server; i.e., AAAv does not make any modification to the message coming from a valid AAA client; the AAAh may exchange many messages with the MN via the AAAv; AAAh may also compute other keying material according to the keys requested by the MN and send it to the*

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MN passing through the AAAv; i.e., keys sent to the MN passing through the AAAv are unchanged).

- **Regarding claim 25**, claim 25 is similar in scope to claim 2, and is therefore rejected under similar rationale.

- **Regarding claims 27-33**, claims 27-33 are similar in scope to claims 4-10, respectively, and are therefore rejected under similar rationale.

- **Regarding claims 35-40**, claims 35-40 are similar in scope to claims 12-17, respectively, and are therefore rejected under similar rationale.

- **Regarding claims 42-46**, claims 42-46 are similar in scope to claims 19-23, respectively, and are therefore rejected under similar rationale.

- **Regarding claim 47**, Faccin discloses an Authentication, Authorization and Accounting (AAA) home network server for authentication and authorization support for Mobile IP version 6(MIPv6) (*pages 1-4, sections 1-3; pages 5 and 11, sections 4.1 and 7.1*), comprising:

- a processor for controlling the operations of the server (*pages 1-2; AAAv server and AAAh server*);

- means for assigning a home agent to a mobile node (*pages 5-6, section 4.2; page 17, section 8.1; pages 26-27; section 9.5.2*);

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means for transmitting to the mobile node and the home agent, credential-related data for establishing a security association between the mobile node and the home agent (*pages 20-27, section 9.2.1-9.2.2, and 9.3-9.5*); and

means for sending and receiving MIPv6-related authentication and authorization information between the AAA home network server and the mobile node in the visited network in an end-to-end procedure (*pages 2-4, section 3; pages 11-18, sections 7.1-7.3 and 7.6; pages 19-28, sections 9.1-9.2 and 9.5; pages 10-16, section 7; pages 19-28, section 9; information flows 1.2-1.9 and 2.2-2.11 allow a mobile node mn@xyz.com operating in a visited domain abc.com to perform authentication with the AAA home network AAAh*), wherein intermediate AAA network nodes pass the MIPv6-related authentication and authorization information unchanged between the mobile node and the home AAA server (*pages 10-16, section 7; pages 19-28, section 9; information flows 1.2-1.9 and 2.2-2.11; the AAAv verifies the message is coming from a valid AAA Client and then, checks the MIPv6 Feature Vector AVP, and then sends it to the MN's home AAA server; i.e., AAAv does not make any modification to the message coming from a valid AAA client; the AAAh may exchange many messages with the MN via the AAAv; AAAh may also compute other keying material according to the keys requested by the MN and send it to the MN passing through the AAAv; i.e., keys sent to the MN passing through the AAAv are unchanged*).

- **Regarding claim 48**, Faccin discloses the server of claim 47, further comprising means for assigning a home address to the mobile node (*pages 26-27; section 9.5.2*).

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- **Regarding claim 49**, Faccin discloses the server of claim 48, further comprising means for configuring the home address of the mobile node using roundtrips of a selected Extensible Authentication Protocol (EAP) procedure (*pages 5-6, sections 4.1-4.2; page 15, section 7.6*).

- **Regarding claim 50**, Faccin discloses the server of claim 48, further comprising means for transferring the home address of the mobile node to the home agent using an AAA framework protocol application (*page 12, section 7.3.1; page 2-21, section 9.2.1*).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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15. **Claims 11, 18, 34, and 41 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Faccin, as applied to claims 1 and 24 above, and further in view of Akhtar et al., (hereinafter “Akhtar”), U.S. Patent No. 7,079,499, filed on September 07, 2000.

- **Regarding claim 11**, Faccin discloses the method of claim 10.

Faccin does not explicitly disclose the EAP attributes are EAP Type-Length-Value (TLV) attributes.

However, in an analogous art, Akhtar discloses a mobility architecture framework, wherein the EAP attributes are EAP Type-Length-Value (TLV) attributes (*Akhtar: col. 88, lines 4-10*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Akhtar with the method and system of Faccin, wherein the EAP attributes are EAP Type-Length-Value (TLV) attributes to provide a communication architecture for enabling IP-based mobile communications (*Akhtar: col. 1, lines 56-58*).

- **Regarding claim 18**, Faccin discloses the method of claim 15.

Faccin does not disclose the AAA framework protocol application is an application of a protocol selected from the group of Diameter and RADIUS.

However, in an analogous art, Akhtar discloses a mobility architecture framework, wherein the AAA framework protocol application is an application of a protocol selected from the group of Diameter and RADIUS (*Akhtar: col. 26, lines 1-7; col. 27, lines 1-5; col. 31, lines 36-42*).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Akhtar with the method and system of Faccin, wherein the AAA framework protocol application is an application of a protocol selected from the group of Diameter and RADIUS to provide a communication architecture for enabling IP-based mobile communications (*Akhtar: col. 1, lines 56-58*).

- **Regarding claim 34**, claim 34 is similar in scope to claim 11, and is therefore rejected under similar rationale.
- **Regarding claim 41**, claim 41 is similar in scope to claim 18, and is therefore rejected under similar rationale.

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luu Pham whose telephone number is 571-270-5002. The examiner can normally be reached on Monday through Friday, 7:30 AM - 5:00 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel L. Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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